

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN ROBERT C. CLARK**, on February 2, 1999  
at 8:00 A.M., in Room 312 - 1 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Robert C. Clark, Chairman (R)  
Rep. Dan McGee, Vice Chairman (R)  
Rep. Diana Wyatt, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Shiell Anderson (R)  
Rep. Paul Clark (D)  
Rep. Aubyn A. Curtiss (R)  
Rep. Bill Eggers (D)  
Rep. Tom Facey (D)  
Rep. Steven Gallus (D)  
Rep. Gail Gutsche (D)  
Rep. Joan Hurdle (D)  
Rep. Rick Jore (R)  
Rep. Sam Kitzenberg (R)  
Rep. Brad Molnar (R)  
Rep. Mark Noennig (R)  
Rep. Jim Shockley (R)  
Rep. Loren Soft (R)  
Rep. Carol Williams (D)  
Rep. Cindy Younkin (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** John MacMaster, Legislative Branch  
Pam Schindler, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 227, HB 407, 1/29/1999

Executive Action: HB 104-Tabled, HB 361-Do Pass  
as Amended, HB 371-Do Pass as  
Amended

HEARING ON HB 227

Sponsor:

Rep. Molnar presented HB 227.

*{Tape : 1; Side : A; Approx. Time Counter : 33 - 121}*

**EXHIBIT** (juh26a0

1)

Proponents:

Greg VanHorssen, Montana Housing Providers

*{Tape : 1; Side : A; Approx. Time Counter : 121 - 171}*

Carson Strege, Montana People's Action

*{Tape : 1; Side : A; Approx. Time Counter : 171 - 190}*

Opponents:

Steve Browning, Associated Credit Bureaus, Inc.

*{Tape : 1; Side : A; Approx. Time Counter : 190 - 251}*

**EXHIBIT** (juh26a0

2)

**EXHIBIT** (juh26a0

3)

Doug Klein, Collection Bureau Services

*{Tape : 1; Side : A; Approx. Time Counter : 251 - 355}*

**EXHIBIT** (juh26a0

4)

Chris Gallus, Montana Chamber of Commerce

*{Tape : 1; Side : A; Approx. Time Counter : 355 - 390}*

Brad Griffin, Montana Retail Association

*{Tape : 1; Side : A; Approx. Time Counter : 390 - 415}*

Bob Pfeiffer, Montana Credit Union Leagues

*{Tape : 1; Side : A; Approx. Time Counter : 415 - 550}*

John Cadby, Montana Banker's Association

*{Tape : 1; Side : B; Approx. Time Counter : 0 - 41}*

Steve Turkewicz, Montana Auto Dealer's Association

*{Tape : 1; Side : B; Approx. Time Counter : 41 - 54}*

Robert Throssell, Montana Magistrate's Association

*{Tape : 1; Side : B; Approx. Time Counter : 54 - 83}*

Informational Testimony:

Amy Pfeiffer, Child Support Enforcement Division

{Tape : 1; Side : B; Approx. Time Counter : 83 - 110}

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 110 - 225}

Closing by Sponsor:

Rep. Molnar made closing statements

{Tape : 1; Side : B; Approx. Time Counter : 225 - 332}

HEARING ON HB 407

Sponsor:

Rep. Younkin presented HB 407.

{Tape : 1; Side : B; Approx. Time Counter : 332 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 117}

EXHIBIT (juh26a0

5)

EXHIBIT (juh26a0

6)

Proponents:

Russ McElyea, Water Rights Attorney

{Tape : 2; Side : A; Approx. Time Counter : 117 - 228}

Barry Hedrich, rancher, Montana Stockgrower's Association

{Tape : 2; Side : A; Approx. Time Counter : 228 - 326}

EXHIBIT (juh26a0

7)

Mike Murphy, Montana Water Resources Association

{Tape : 2; Side : A; Approx. Time Counter : 326 - 346}

John Youngberg, Montana Farm Bureau

{Tape : 2; Side : A; Approx. Time Counter : 346 - 362}

John Bloomquist, Montana Stockgrower's Association

{Tape : 2; Side : A; Approx. Time Counter : 362 - 463}

Holly Franz, Montana Power Company

{Tape : 2; Side : A; Approx. Time Counter : 463 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 15}

Candace Payne, Attorney

{Tape : 2; Side : B; Approx. Time Counter : 15 - 36}

Opponents:

Harley Harris, Attorneys General office

{Tape : 2; Side : B; Approx. Time Counter : 36 - 550}

EXHIBIT (juh26a0

8)

Chairman Clark deemed Mr. Harris's testimony as an Opponents instead of the Informational as Mr. Harris had registered under.

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 0 - 375}

Closing by Sponsor:

Rep. Younkin made closing statements.

{Tape : 3; Side : A; Approx. Time Counter : 375 - 550}

EXHIBIT (juh26a0

9)

EXECUTIVE ACTION ON HB 104

Motion/Vote: REP. MCGEE moved that HB 104 BE TABLED. Motion carried 17-3 with Facey, Gutsche, and Wyatt voting no.

{Tape : 3; Side : B; Approx. Time Counter : 10 - 33}

EXECUTIVE ACTION ON HB 361

Motion: REP. SHOCKLEY moved that HB 361 DO PASS.

Motion: REP. SHOCKLEY moved that HB 361 BE AMENDED.

Motion/Vote: REP. SHOCKLEY moved that HB 361 DO PASS AS AMENDED.

Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 33 - 274}

EXECUTIVE ACTION ON HB 371

Motion: REP. ANDERSON moved that HB 371 DO PASS.

**EXHIBIT**(juh26a1

0)

Motion/Vote: REP. ANDERSON moved that HB 371 BE AMENDED. Motion carried 19-1 with Jore voting no.

Motion: REP. ANDERSON moved that RE: SEGREGATION OF AMENDMENTS; EFFECTIVE DATE 1/1/2000 FROM PREV. AMEND. BE AMENDED.

Motion carried. Motion/Vote: REP. YOUNKIN moved that HB 371 DO PASS AS AMENDED., AMENDED. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 274 - 422}

Rep. McGee made a motion to adjourn, motion passed.

**ADJOURNMENT**

Adjournment: 11:35 A.M.

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REP. ROBERT C. CLARK, Chairman

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PAM SCHINDLER, Secretary

RC/PS

**EXHIBIT** (juh26aad)